



**H***elp* **A***merica* **V***ote* **A***ct*

**Janice K. Brewer**  
**Secretary of State**

***State of Arizona***  
***Preliminary State Plan***

**March 18, 2003**



**JAN BREWER**  
**SECRETARY OF STATE**  
**STATE OF ARIZONA**

The Help America Vote Act of 2002 (HAVA) is civil rights legislation to ensure voters are treated equally across the United States of America. I am proud to say that here in the State of Arizona, many of the federal election reforms brought by HAVA are already addressed in our own state law and procedures.

HAVA will significantly change our state election process as we replace punch card voting systems in 9 counties, add new DRE (touch screen) equipment to every precinct in the state, and implement new statewide systems to address voter registration, grievance process and provisional balloting. All these are daunting new tasks which bring powerful new responsibilities. I truly believe it will take a yeoman-like effort to ensure each new requirement is implemented correctly. As Arizona Secretary of State, it is with great pleasure I present the 2003 Preliminary State Plan for election reform.

This Arizona Preliminary State Plan identifies the priorities and specific steps our state will take to address election reform and bring Arizona into compliance with HAVA. The Plan was developed in conjunction with the State Planning Committee and was adopted unanimously from the group of state officials, legislative representatives, local officials, party representatives and individuals with special interests in improving access to the disabled.

Although HAVA increases responsibility for election administration at the State level in order to establish consistency across the state, the Secretary of State acknowledges that the county recorders and election officials are charged with the conduct of elections and are critical to the elections process. As we move forward, the Secretary of State will continue to encourage coordination, cooperation, and collaboration between the local officials on innovations and technology as we mutually share in a successful new election process.

Within this Preliminary State Plan, Arizona encourages election accessibility for individuals with disabilities and those with alternative language considerations. Arizona has already taken significant steps to improve polling place accessibility and is in the process of implementing an accessible, uniform statewide voting system. We will continue to strive toward accessibility throughout all aspects of the elections process.

In presenting this new plan, let me point out it is a living, breathing document in which we will need to update and refine as necessary over time, to reflect effective election reform. Overall, Arizona is in a good position relative to meeting the HAVA requirements. I welcome the challenges of HAVA and look forward to receiving appropriate financial support from the federal government as we continue our efforts to lead the nation in election reform.

A handwritten signature in cursive script that reads "Janice K. Brewer".

Janice K. Brewer  
Arizona Secretary of State



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**TABLE OF CONTENTS**

**Introduction** by Janice K. Brewer, Arizona Secretary of State .....page 2

**Table of Contents** .....page 3

**Press Release, January 31, 2003**.....page 4

***State Plan Required Elements***

**Outline of Required Elements**.....page 5

**Section 1.** How the State will use requirements payment .....page 8

**Section 2.** How the State will distribute and monitor requirements payment.....page 11

**Section 3.** How the State will provide for programs for voter education, election official education and training, and poll worker training .....page 13

**Section 4.** How the State will adopt voting system guidelines and processes which are consistent with the requirements of section 301 .....page 14

**Section 5.** How the State will establish a fund, including fund management.....page 15

**Section 6.** State's proposed budget for activities .....page 16

**Section 7.** State's maintenance of effort.....page 21

**Section 8.** How the State will adopt performance goals and measures.....page 22

**Section 9.** Statebased administrative complaint procedure.....page 32

**Section 10.** Title 1 payments .....page 34

**Section 11.** Ongoing management of State Plan .....page 35

**Section 12.** Changes to plan from previous fiscal year .....page 36

**Section 13.** State Planning Committee, development and members page .....page 37



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SECRETARY OF STATE  
STATE OF ARIZONA

## **Help America Vote Act of 2002 (HAVA) Preliminary State Plan**

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### **PRESS RELEASE**

**January 31, 2003**

#### **Sec. of State Jan Brewer Announces State Planning Committee on Election Reform *New Committee Will Formulate New Process for Arizona Voter Registration & Elections***

**PHOENIX** -- Secretary of State Jan Brewer announced the creation of Arizona's State Planning Committee in an effort to improve administration of elections, educate voters, and upgrade statewide voting systems and technology. This action comes on the heels of Congress and President Bush passing the "Help America Vote Act of 2002" which specifically mandates strategic planning for elections by each state.

"The federal government requires our state to undertake comprehensive election reform," said Secretary Brewer. "The first step is to put forward a quality group of people from throughout this state to help develop a workable system for all of Arizona voters."

This new Committee will put forward recommendations on how to create a new statewide and uniform voter registration database, maintain new and existing voting systems, provide accessible voting devices for the disabled, and increase voter education and training for the new systems.

Stated Secretary Brewer, "My first priority with this Committee is to get a centralized voter registration system that will help update our voter rolls, and then we need to do away with punch card voting systems." Added Brewer, "Arizonan's deserve to have their votes counted accurately."

All fifty states must submit a state plan that delivers compliance with the new federal requirements. The plan must also be sent on to the federal government in order to receive any federal funding aid. Secretary Brewer's new State Planning Committee meetings will be open to the public. The Committee has a diverse group of appointees including representatives from: 10 counties, all recognized state parties, several statewide election experts, visually impaired groups, African-American, Hispanic, Native American, disability groups, computer technology, and campaign and voter outreach experts.

"I have assembled a group of 'can-do' people that can handle the complexities we confront in developing this plan," said Secretary Brewer, "the challenge is enormous, but is one we can accomplish by working together."

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**Help America Vote Act of 2002**

**Public Law 107-252 – October 29, 2002**

**(HAVA)**

SEC. 254. STATE PLAN.

(a) IN GENERAL.—The State plan shall contain a description of each of the following:

**State Plan # (1)**

How the State will use the requirements payment to meet the requirements of title III, and, if applicable under section 251(a)(2), to carry out other activities to improve the administration of elections.

**State Plan # (2)**

How the State will distribute and monitor the distribution of the requirements payment to units of local government or other entities in the State for carrying out the activities described in paragraph (1), including a description of—

- A) The criteria to be used to determine the eligibility of such units or entities for receiving the payment; and
- B) The methods to be used by the State to monitor the performance of the units or entities to whom the payment is distributed, consistent with the performance goals and measures adopted under paragraph (8).

**State Plan # (3)**

How the State will provide for programs for voter education, election official education and training, and poll worker training which will assist the State in meeting the requirements of title III.

**State Plan # (4)**

How the State will adopt voting system guidelines and processes which are consistent with the requirements of section 301.

**State Plan # (5)**

How the State will establish a fund described in subsection (b) for purposes of administering the State's activities under this part, including information on fund management.



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### **State Plan # (6)**

The State's proposed budget for activities under this part, based on the State's best estimates of the costs of such activities and the amount of funds to be made available, including specific information on —

- A) The costs of the activities required to be carried out to meet the requirements of title III;
- B) The portion of the requirements payment which will be used to carry out activities to meet such requirements; and
- C) The portion of the requirements payment which will be used to carry out other activities.

### **State Plan # (7)**

How the State, in using the requirements payment, will maintain the expenditures of the State for activities funded by the payment at a level that is not less than the level of such expenditures maintained by the State for the fiscal year ending prior to November 2000.

### **State Plan # (8)**

How the State will adopt performance goals and measures that will be used by the State to determine its success and the success of units of local government in the State in carrying out the plan, including timetables for meeting each of the elements of the plan, descriptions of the criteria the State will use to measure performance and the process used to develop such criteria, and a description of which official is to be held responsible for ensuring that each performance goal is met.

### **State Plan # (9)**

A description of the uniform, nondiscriminatory Statebased administrative complaint procedures in effect under section 402.

### **State Plan # (10)**

If the State received any payment under title I, a description of how such payment will affect the activities proposed to be carried out under the plan, including the amount of funds available for such activities.



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## **Help America Vote Act of 2002 (HAVA) Preliminary State Plan**

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### **State Plan # (11)**

How the State will conduct ongoing management of the plan, except that the State may not make any material change in the administration of the plan unless the change —

- A) Is developed and published in the Federal Register in accordance with section 255 in the same manner as the State plan;
- B) Is subject to public notice and comment in accordance with section 256 in the same manner as the State plan; and
- C) Takes effect only after the expiration of the 30-day period which begins on the date the change is published in the Federal Register in accordance with subparagraph (A).

### **State Plan # (12)**

In the case of a State with a State plan in effect under this subtitle during the previous fiscal year, a description of how the plan reflects changes from the State plan for the previous fiscal year and of how the State succeeded in carrying out the State plan for such previous fiscal year.

### **State Plan # (13)**

A description of the committee which participated in the development of the State plan in accordance with section 255 and the procedures followed by the committee under such section and section 256.





## **Section 1**

**Sec 254. (a) IN GENERAL - The State plan shall contain a description of each of the following:**

**(1) How the State will use the requirements payment to meet the requirements of title III (equipment and administration), and, if applicable under section 251 (a)(2), to carry out other activities to improve the administration of elections.**

### ***Recommended Language:***

The Help America Vote Act of 2002 (HAVA), public law 107-252, establishes minimum election administration standards for states that affect the offices of the secretary of state, county recorders and county election officials. HAVA provides election reform across the nation and brings uniformity to state elections, HAVA will enable each voter an opportunity to cast their ballot. It specifically requires the state of Arizona to:

- Create a new uniform statewide voter registration system;
- Certify new and existing voting systems according to national standards;
- Replace all punch card voting devices used by counties for elections;
- Improve voting device accessibility, to include physical and language accessibility;
- Maintain uniform election procedures and certification of election officials and poll workers;
- Increase voter education for new voting systems; and,
- Establish a statewide complaint system for a uniform, nondiscriminatory response to grievances.

The state of Arizona is in a relatively good position to implement the requirements of HAVA. Many standards or activities required in HAVA are already in place and being successfully executed. Uniformity across Arizona is achieved through state statute and the state election procedures manual covering the topics surrounding elections: voter qualification; voting system certification; what constitutes a vote; election official and poll worker training; alternative language requirements; uniform provisional ballots procedures (previously "ballots to be verified"); procedures for military (or "absentee") ballots; and tabulating and reporting. The state has consistently followed the National Voter Registration Act of 1993 and therefore already has sound procedures for voter registration and maintenance of the voter registration rolls.

For those minor statutory and regulatory changes required, the secretary of state has submitted legislation and has begun the revision process of the state election procedures manual to bring terminology and procedures into conformance with HAVA.





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**Help America Vote Act of 2002 (HAVA)**  
**Preliminary State Plan**

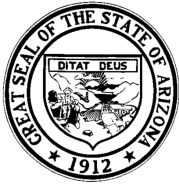
HAVA provides funding to the state of Arizona for the implementation of election reform, a total of \$51,764,959 (Sections 252 and 257) and \$6.9 million as early monies (Section 101). In order to qualify for funding, the state must:

- meet the requirements of Title III, including the bullet points above;
- provide the same maintenance of effort for election operations as in the budget year prior to the 2000 general election; and
- provide matching funds of five percent of the federal dollars, calculated at \$2.5 million.

The state has certified it will meet the budgeting requirements, and in addition, has determined the counties must also meet the same maintenance of effort as experienced in the 2000 general election. The state will establish the state election fund, in which monies from HAVA will be deposited and appropriately disbursed. Many of the expenditures affect county operations, so eligibility to receive funds will be determined by compliance with state statute, the election procedures manual, and the statewide efforts regarding elections. This state plan, as prescribed in HAVA, describes actions that will be taken to address the election procedures reform, voter registration reform, voter registration system centralization, and voting systems buyout.

Subject to the complete funding allocated in HAVA, the state will embark on parallel statewide efforts to be consistent with HAVA requirements:

- Arizona – Adios Chad is a statewide contract effort to facilitate replacement of voting systems in counties where punch card systems were used in the 2000 General Elections. The procurement effort will also include the voting accessibility standards for disabilities for the remaining counties.
- Voter Registration Arizona (VRAZ) will also be a priority of the secretary of state to implement a statewide voter registration system. Working with the county recorders and state election officials, the state will define functional requirements, roles and responsibilities of carrying out the functions of voter registration to enhance the operations of each of these offices, with the voter as the primary benefactor of the resulting system.
- 877 THE VOTE is the secretary of state's current toll-free election information line. This system will be expanded to implement the initial call-in element of a statewide grievance tracking system. The statewide grievance tracking system will allow for the comprehensive coordination of response by the secretary of state, (and as designees: the county recorders, county and state election officials) and the state attorney general with the initial grievance handled by phone call and escalating to a written process when needed.
- Accessibility, whether physical disability or a language barrier, is widely addressed in state law and the state election procedures manual and is largely maintained under the current efforts of the secretary of state and county officials. However, given the intent of HAVA



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## **Help America Vote Act of 2002 (HAVA) Preliminary State Plan**

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to further enhance accessibility, the state will engage statewide efforts to ensure accessibility to voter registration, voting systems, voting information, voting locations and all processes directly connected to the election process. This will include disbursements to counties to improve physical accessibility of polling locations, language accessibility requirements beyond the current efforts, and expansion to voting education through public service announcements and coordinated statewide efforts.

- To meet these efforts, the secretary of state will incur administrative costs associated with the coordination, planning, operations and reporting on these programs. In addition, the secretary of state will need to expand its voting system certification efforts and election official certification, as well as expanding the state election procedures manual to include uniform guidelines for all training relative to election processes. These costs, along with portions of infrastructure and support systems, will be funded through the state election fund.

To ensure that HAVA reform is sustained, the state will also extend current reporting requirements to gauge performance of the state and county officials. These reports will not only provide public inspection of election process performance, but will also be the foundation to determine future modifications required in law or the state election procedures manual. While the state election fund consists of federal funds, the secretary of state will maintain this state plan to reflect the state's direction and preparedness to fulfill the requirements of HAVA.



## **Section 2**

**Sec 254. (a) IN GENERAL - The State plan shall contain a description of each of the following:**

**(2) How the State will distribute and monitor the distribution of the requirements payment to units of local government or other entities in the State for carrying out the activities described in paragraph (1), including a description of -**

- (A) the criteria to be used to determine the eligibility of such units or entities for receiving the payment; and**
- (B) the methods to be used by the State to monitor the performance of the units or entities to whom the payment is distributed, consistent with the performance goals and measures adopted under paragraph (8).**

### ***Recommended Language***

To maintain uniformity of voting equipment purchases and the other expenditures, the state will develop a statewide Request For Proposal (RFP) for satisfying the requirements of the Help America Vote Act of 2002 (HAVA). The commitments under Title III will be based on federal and state funds deposited in the state election fund. The state will administer the resulting contracts and the disbursements consistent with state budget plan described in subsection 6 of Section 254 (a).

Funds will be distributed based on availability and set to the priorities established in this state plan. County voter registration statistics at the time of the 2002 General Election will be taken into consideration for any proportionate distribution of funds to counties for which they qualify under the various elements of distribution. Counties will submit their county budgets that contain the 2002 election cycle maintenance of effort to establish baseline amounts for efforts already in practice. All expenditures beyond the maintenance of effort will be coordinated with statewide efforts to be eligible for reimbursement of such efforts.

The explicit distribution method and eligibility for each element of distribution is described in section 6. In general, the distribution of funds to counties will be in accordance with Memorandums of Understanding (MOU). The MOU will be the contract between the state and the county to enable payment from the state election fund, and therefore all service levels or compliances required by the MOU will dictate disbursement. Upon receipt and validation of documentation of compliance with the MOU, the state will issue disbursements from the state election fund. Any commitment of funds from the state election fund shall not exceed the proportions identified in this plan beyond one half of one percent of the state election fund. The state may revise the state plan, using the procedures identified in section 11, to adjust the proportions at any time.



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## **Help America Vote Act of 2002 (HAVA) Preliminary State Plan**

The state will require, as part of the MOU, that counties use established accounting practices for all aspects of project management to monitor the implementation of the elements in section 6. Project management and time schedules for these efforts will be conducted by the secretary of state in coordination with the county recorders and county election officials. Compliance with the terms of any applicable MOU and with the project management and time schedules established for each element in Section 6 will establish eligibility to receive payments from the state election fund. Any portions not in compliance, or not completed on the time schedule will delay payments until such time the county has complied with the necessary requirements. Failure to comply with the MOU for more than six months may release the state election fund from commitment to provide such funds associated with that element. Failure to comply with any portion of Title III will result in the county being liable for all previously disbursed funds to that county from the state election fund. If a county has failed to comply on an effort that prohibits other counties, or the state, to proceed with the time schedule of that same effort, the secretary of state may postpone all other payments to that county until such time of compliance.

The performance measures detailed in section 8 of this state plan will be used to evaluate participation and effectiveness of disbursements. Monitoring performance measures will be completed biennially during the compilation of the reports required by the state election procedures manual. The reports will be filed with the secretary of state and will include specific data to disclose the successes and failures of each county's performance as it relates to the implementation of HAVA.

The ongoing maintenance of the centralized voter registration database requires a well-coordinated interaction of the county officials who register voters, state officials who manage the central voter registration database, county officials who manage elections and state officials who oversee elections. This creates an incentive for the state election fund to be an ongoing fund to handle cross-jurisdictional expenses in managing voter registration and elections.



## **Section 3**

**Sec 254. STATE PLAN (a) IN GENERAL - The State plan shall contain a description of each of the following:**

**(3) How the State will provide for programs for voter education, election official education and training, and poll worker training which will assist the State in meeting the requirements of Title III.**

### ***Recommended Language***

Poll workers and elections officers will be kept abreast of changes in law, including new laws and to maintain uniformity, the secretary of state will offer continuing education programs to election officials. The state already has adopted laws that address these programs.

1. Pursuant to Arizona Revised Statutes § 16-427, voters are given instruction on the use of voting machines.
2. Pursuant to Arizona Revised Statutes § 16-406, voting equipment is on public display at different times and places.
3. Pursuant to Arizona Revised Statutes § 16-407, election officers participate in an election officer education, training and certification program.
4. Pursuant to Arizona Revised Statutes § 16-532, poll workers are required to attend instructional programs "Instruction of election board inspectors and judges; certificate of qualification; optional training; instruction of counting center election officials".
5. Pursuant to Arizona Revised Statutes §§ 16-444 and 16-452, Arizona has adopted uniform definitions of election terms.
6. Pursuant to Arizona Revised Statutes § 19-123, the state mails the publicity pamphlet for ballot measures to every household that contains a registered voter. The publicity pamphlet will include a section for voter education.

The secretary of state may use public service announcements via the public broadcasting system in the two major markets in the state, Phoenix and Tucson, as a forum to conduct voter education and poll worker training education.

The secretary of state will include additional training in the election officer certification training program on the requirements under the Help America Vote Act of 2002 (HAVA). The secretary of state will include material in the procedures manual for implementing poll worker training and public display of voting systems. The secretary of state will continue to include election terminology in the procedures manual.

The secretary of state will further adopt voter education guidelines, which shall inform voters that if they fail to cast a vote for a candidate or issue, the voter will not be notified of the undervote.



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## **Section 4**

**Sec 254. (a) IN GENERAL - The State plan shall contain a description of each of the following:**

**(4) How the State will adopt voting system guidelines and processes which are consistent with the requirements of section 301.**

### ***Recommended Language***

- The secretary of state will adopt voting systems guidelines and processes consistent with the Voting Systems Standards identified in section 301.
- Pursuant to Arizona Revised Statutes § 16-446, specifications for electronic voting systems shall provide for voting secrecy, prevention of over votes, prevent duplicate voting, and count accurately every vote cast.
- Pursuant to Arizona Revised Statutes § 16-442, the secretary of state shall appoint a three member committee to investigate and test electronic voting equipment and tabulating devices and shall recommend final adoption of approved systems. The committee appointed by the secretary of state will review standards set by the Standards Board and make recommendations to the secretary of state based on tabulating systems meeting the standards and standards set by the Federal Election Commission.
  - Part of Senate Bill 1145 (the Help America Vote Act of 2002 bill) sponsored by Senator Marilyn Jarrett addresses the secretary of state's three member committee and the specific requirement for certifying voting systems according to the federal voting system guidelines.
- The committee will also review and decertify systems that no longer meet the Voting Systems Standards. All approved electronic voting systems and tabulating devices will carry required ITA and NASED certification.

Pursuant to Arizona Revised Statutes § 16-452, the secretary of state defines what constitutes a vote and a voting system through the state procedures manual for voting processes and equipment.

- Pursuant to Arizona Revised Statutes § 16-449, the secretary of state shall perform logic and accuracy tests before state and federal elections and will have the automatic tabulating equipment and programs tested to ensure correct vote count cast for all offices.



## **Section 5**

**Sec. 254 (a) IN GENERAL - The State plan shall contain a description of each of the following:**

**(5) How the State will establish a fund described in subsection (b) (Elections Fund) for purposes of administering the State's activities under this part, including information on fund management.**

### ***Recommended Language***

Senator Marilyn Jarrett and Representative John Huppenthal introduced [Senate Bill 1075](#) and [House Bill 2197](#) on behalf of the secretary of state (see attached copies of Bills.) The State Planning Committee supports the attached Senate Bill 1075 and House Bill 2197. The Bills establish the Elections Fund to implement the Help America Vote Act of 2002 (HAVA). The Secretary of state shall be the single signing authority for administration of said funds, in compliance with HAVA. There is no appropriation identified with this legislation. These bills simply create the mechanism to receive money.





## **Section 6**

**Sec. 254 (a) IN GENERAL - The State plan shall contain a description of each of the following:**

**The State's proposed budget for activities under this part, based on the State's best estimates of the costs of such activities and the amount of funds to be made available, including specific information on -**

- (A) the costs of the activities required to be carried out to meet the requirements of title III;**
- (B) the portion of the requirements payment which will be used to carry out activities to meet such requirements; and**
- (C) the portion of the requirements payment which will be used to carry out other activities.**

### ***Recommended Language***

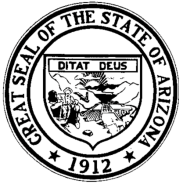
The state of Arizona's proposed budget appropriation, subject to full federal funding of the Help America Vote Act of 2002 (HAVA), includes the appropriations to fund programs to conform to the requirements of Title III. In order to fairly distribute the funds, the secretary of state will use the county statistics at the time of the 2002 General Election to determine:

- Population counts;
- Voter Registration counts;
- Precinct counts;
- Poll worker counts;
- Election official counts; and
- Maintenance of effort of the county.

#### **A. Voting Accessibility - "Arizona - Adios Chad"**

With requirement to replace voting systems in counties where punch card systems were used in the 2000 general election in order to receive federal funds under HAVA, Arizona has initiated the Arizona – Adios Chad Program to facilitate punch card buyout. There are still nine counties in the state that will require new voting systems. The secretary of state will lead a statewide procurement effort to acquire these systems. The scope of Adios Chad will be the replacement of these voting systems, in which the secretary of state will work with county election officials to ensure that all needs are met, including but not limited to:

- device acquisition;
- system maintenance;
- election preparation services; and
- election tabulation services.



The secretary of state will act as contract administrator to maximize the purchasing power. The counties will own, operate, and work with the vendor to maintain the new voting systems and retain control of election services at the county level. Those counties requiring voting system replacement will notify the state of their intent to participate in Adios Chad. Eligibility to participate in complete voting system replacement and receive funds from the state election fund will require participating counties to:

- have operated punch card systems in the 2000 general election;
- still have punch card systems; and
- agree to use the state contract to purchase replacement systems.

Adios Chad will also facilitate the ability for counties not operating punch cards in the 2002 General Election to purchase addendum Direct Recording Electronic (DRE) devices or other voting system equipped for individuals with disabilities at each polling place to meet the accessibility requirements of Title III. Eligibility to participate in addendum voting system device acquisition and receive funds from the state election fund will require participating counties:

- do not require complete voting system replacement;
- require accessibility devices in polling places; and
- have presented to the secretary of state a plan outlining accessibility compliance.

For counties that require complete voting system replacement and do not purchase the voting system replacement from the coordinated state contract, the county will be able to purchase addendum devices from the state contract but will not be eligible for funds from the state election fund. For counties that require reimbursement for voting systems that meet the voting systems standards and were purchased for use in the 2002 general election, those counties will receive reimbursement equivalent to the dollar per voter established for a complete replacement county subject to the statewide contract, but will not exceed the contract established by the county for the acquisition of the devices and will be payable upon availability of Title III funds.

Subject to complete federal funding for HAVA, Adios Chad will be funded for the acquisition and additional maintenance of effort to operate replacement voting systems over the punch card systems to address punch card buyout at a rate of 28.50 percent of the state election fund (16.16 percent for acquisition and 12.34 percent for operational). Adios Chad will also be funded for the acquisition and additional maintenance of effort to operate voting systems to address system accessibility requirements of Title III at a rate of 27.64 percent of the state election fund (20.49 percent for acquisition and 7.15 percent for operational).

## **B. Language Accessibility**

The State Plan does not appropriate any additional state election funds for language accessibility because language accessibility is already a responsibility, and included in the maintenance of efforts, of the secretary of state, county recorders and county election officials according to the



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Voting Rights Act of 1965. Devices will be evaluated for adaptability for alternative language accessibility.

### **C. Physical Accessibility**

HAVA provides for use of monies to improve physical accessibility to polling places. Since polling places are private locations, with a few exceptions such as the county recorder's office, only a small portion of the state election fund will be appropriated to counties for physical accessibility improvement. The secretary of state may appropriate per precinct to reimburse counties to improve physical accessibility to polling locations. The request by a county to receive these funds from the state election fund is upon the conditional approval by the secretary of state:

- The county certifies to the secretary of state the costs incurred to improve physical accessibility after January 1, 2003;
- The secretary of state has sufficient funds in the state election fund; and
- Full funding from the federal government is appropriated to the state election fund.

Subject to complete federal funding of HAVA, funding for improving physical accessibility to polling places will receive no more than 0.58 percent of the state election fund.

### **D. Provisional Balloting**

Provisional Balloting is already a responsibility, and included in the maintenance of effort, of the county election officials in conjunction with the county recorders as prescribed in law and the state election procedures manual. However, the requirement to build a free access system for the voter to determine the status of their provisional ballot is a new requirement. At this time, the secretary of state envisions the function of provisional ballot status to be built into the grievance phone system and statewide voter registration system due to the similarities in function and expectations. Monies to incorporate provisional balloting status have been included in those services, however, because many jurisdictions will be changing voting technology, there are deemed to be costs associated with provisional balloting above the current maintenance of effort for these jurisdictions to provide that service. Subject to complete federal funding of HAVA, provisional balloting reimbursement shall be funded at a rate of 0.45 percent of the state election fund. Allocation of funds to the county will be determined by the number of registered voters in the county.

### **E. Voter Education**

Voter Education is already a responsibility, and included in the maintenance of effort, of the secretary of state, county recorders and county election officials as prescribed in the state election procedures manual. Because many jurisdictions will be changing voting technology, there are deemed to be costs associated with voter education above the current maintenance of effort for these jurisdictions. Subject to complete federal funding of HAVA, additional voter education will be funded at a rate of 3.65 percent of the state election fund. Allocation of funds to the county will be determined by the number of registered voters in the county.



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#### **F. Voter Registration Arizona (VRIZ)**

The secretary of state will implement a statewide voter registration system to comply with HAVA Title III. Working with county recorders and state election officials, the state will define functional requirements, roles and responsibilities of carrying out the functions of voter registration within the principles:

- secretary of state shall acquire, maintain and support the statewide system;
- counties will remain responsible for the operations of voter registration, including but not limited to: maintaining voter registration information, borders and boundaries of jurisdictions, poll resource management, local registration list information, and candidate registration for local contests;
- counties will remain responsible for furnishing lists, reports, and other printing requirements, however the state may enter into a statewide contract vehicle to maximize purchasing power;
- the official voter registration list will remain under the central control of the secretary of state;
- the counties will be responsible for voter registration operations, printing responsibilities, and common infrastructure requirements for supporting statewide system;
- the counties and the state will maintain the statewide system through maintenance of effort appropriations;
- the system will include provisional ballot status report functions to the voter.

Subject to complete federal funding of HAVA, the VRIZ program will be funded for acquisition and additional maintenance efforts for maintaining the VRIZ system at a rate of 24.71 percent of the state election fund (9.01 percent for acquisition and 15.7 percent for operational).

#### **G. Grievance System**

The secretary of state will implement a statewide grievance tracking system to comply with HAVA Title IV in order to qualify for Title III funding. Working with the county recorders, state election officials, state attorney general, the state will define functional requirements, roles and responsibilities of grievance procedures as defined in Section 9 of the State Plan. Subject to complete federal funding of HAVA, the Grievance System will be funded for acquisition and additional maintenance efforts for maintaining the system at a rate of 2.37 percent of the state election fund (1.12 percent for acquisition and 1.25 percent for operational).

#### **H. Administration costs**

To fulfill the requirements of Title III, the secretary of state will have to provide for the coordination, planning, operations and reporting on these programs. Subject to complete federal funding of HAVA, the secretary of state will use funds to administer the implementation of HAVA above the current maintenance effort for elections at a rate of 5.03 percent of the state election fund (.28 percent for initial administration costs and 4.75 percent for operational).



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## **Help America Vote Act of 2002 (HAVA) Preliminary State Plan**

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### **I. Poll Worker Training**

Poll worker training is already a responsibility, and included in the maintenance of effort by county election officials as prescribed by state law. Many jurisdictions will be changing voting technology, there will be costs associated with poll worker training above the current maintenance of effort for these jurisdictions. Subject to complete federal funding of HAVA, additional poll worker training will be funded at a rate of 3.49 percent of the state election fund.

### **J. Election Official Training**

Election official training is already a responsibility, and included in the maintenance of effort, for the secretary of state as prescribed in Arizona Revised Statutes § 16-407. Due to changes in voting technology, there will be costs associated with election official training above the current maintenance of effort. Subject to complete federal funding of the Help America Vote Act of 2002, additional election official training will be funded at a rate of .17 percent of the state election fund.

### **K. Telecommunications**

Implementation of VRAZ, the provisional ballot system and the statewide grievance tracking system requires the design, purchase, installation, and maintenance of a telecommunications infrastructure. Subject to complete federal funding of HAVA, this communication system and the costs associated with the system will be funded at a rate of 3.41 percent of the state election fund.



## **Section 7**

**Sec. 254 (a) IN GENERAL - The State plan shall contain a description of each of the following:**

**(7) How the State, in using the requirements payment, will maintain the expenditures of the State for activities funded by the payment at a level that is not less than the level of such expenditures maintained by the State for the fiscal year ending prior to November 2000.**

### ***Recommended Language***

The secretary of state will not use the requirements money to maintain the expenditures previously incurred by the state. Funds will be appropriated in the 2004-2005 state of Arizona fiscal budget to carry out the Federal Election. The requirements payments will not be used to fund the following:

- Travel to conduct logic and accuracy tests
- Printing, labeling and postage of sample ballots
- Production and mailing of publicity pamphlets

The secretary of state and counties shall continue to provide maintenance of effort in providing election and voter education as required in the Help America Vote Act of 2002 (HAVA).



## **Section 8**

**Sec. 254 (a) IN GENERAL - The State plan shall contain a description of each of the following:**

**(8) How the State will adopt performance goals and measures that will be used by the State to determine its success and the success of units of local government in the State in carrying out the plan, including timetables for meeting each of the elements of the plan, descriptions of the criteria the State will use to measure performance and the process used to develop such criteria, and a description of which official is to be held responsible for ensuring that each performance goal is met.**

### ***Recommended Language***

The secretary of state is responsible for ensuring the success in meeting each performance goal. Each county's voter registration and election office also have a substantial responsibility in meeting performance goals in that the counties will monitor performance measures and will report to the state on a biennial basis. The performance goals and measurement guidelines will be included in the state's election procedures manual.

The secretary of state and the counties will create a report to enhance the National Voter Registration Act of 1993 reporting requirements. The report will include specific data to disclose the successes and failures of their jurisdiction as it relates to the implementation of the Help America Vote Act of 2002 (HAVA). The report will be completed on a biennial basis, to be filed with the secretary of state no later than March 31 of each year following a general election. The secretary of state will compile the data in the reports and create a statewide report on the programs. The report will include an indication of whether each county met the performance goals.





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**Help America Vote Act of 2002 (HAVA)**  
**Preliminary State Plan**

**Performance Goal 1: Elimination of punch card voting machines.**

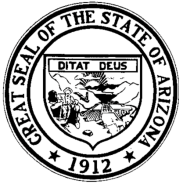
Eliminating punch card voting machines require two things once the appropriate funds are available: 1) development by the secretary of state of a statewide Request for Proposal (RFP) to contract for replacement voting systems with successful award of contracts, and 2) requisition and use by counties of alternative voting systems under the contracts. The measure of success for both elements is the successful replacement of all punch card voting machines by the 2004 Federal election.

Performance measure 1.a	Number of counties using punch card voting machines in the 2004 Federal election
Timetable	January 1, 2003 to Federal election 2004
Description of the criteria used to measure performance	Ten Arizona counties had qualifying precincts in the 2000 Federal election according to HAVA descriptions of replacement voting systems.
Process used to develop the criteria	Success of meeting the performance goal will be based upon the number of punch card voting systems still in use by the Federal election 2004.
Description of official to be held responsible for ensuring each performance goal is met	While each county board of supervisors is responsible for implementing the replacement voting system in their county, the secretary of state is leading the statewide effort for replacement and is therefore ultimately responsible for meeting this performance measure.

**Performance Goal 2: Voting Accessibility**

Improving voting accessibility, as required by HAVA, which shall include accessibility for individuals with disabilities and alternative language accessibility as determined in Title III, Section 301 of HAVA, will be accomplished by the secretary of state and county election officials in two steps once the appropriate funds are available: 1) development by the secretary of state of a statewide Request for Proposal (RFP) to contract for addendum voting system devices with successful award of contracts, and 2) requisition and use by counties of addendum voting system devices under the contracts. The measure of success for both elements is the successful acquisition and deployment of accessible voting machines by the 2006 Federal election.

Performance measure 2.a	Compliance of counties using voting accessible compliant devices in the 2006 Federal election
Timetable	January 1, 2003 to Federal election 2006
Description of the criteria used to measure performance	All 15 Arizona counties will require alternative voting accessibility devices in the 2006 Federal election according to HAVA.
Process used to develop the criteria	Success of meeting the performance goal will be based upon the number of counties using voting accessible devices weighted by the voting registration in the Federal election 2006.
Description of official to be held responsible for ensuring each performance goal is met	While each county election official is responsible for implementing the voting system in their county, the secretary of state is leading the statewide effort for acquisition and is therefore ultimately responsible for meeting this performance measure.



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STATE OF ARIZONA

**Help America Vote Act of 2002 (HAVA)**  
**Preliminary State Plan**

**Performance Goal 3: Centralized Statewide Voter Registration System**

The state will have a centralized statewide voter registration database operational by January 1, 2004. The development of the central statewide voter registration system will be known as Voter Registration Arizona (VRAZ) and extends the current secretary of state program from duplicate match registrations between counties to online voter registration and updates via online driver license renewal and address changes. Goal is to meet the requirements of HAVA, but also enhance the activities of the county recorders, county election officials and the experience of the voter.

Performance measure 3.a	Ratio of the counties with procedures in place to update the centralized voter registration database multiplied by the registration of the county over the total voter registration population of the state, using the scale: 0 – Not updating 25 – updating on weekly batch mode 80 – updating on daily batch mode 95 – updating upon new information (batch mode) 98 – updating real-time 100 – using VRAZ for all voter registration processing
Timetable	January 1, 2003 to Federal election, 2004
Description of the criteria used to measure performance	Participation is measured on the scale of interaction, whereas a county that does not participate causes the score to be significantly low. Higher degrees of interaction result in higher scores on performance.
Process used to develop the criteria	Success of VRAZ will be dependent first upon the successful capture, migration and standardization of voter registration information into the central voter registration database as a percentage of the voting population affected by the implementation.
Description of official to be held responsible for ensuring each performance goal is met	The secretary of state is responsible for implementing the statewide voter registration system and coordinating the efforts of all 15 county recorders to meet this performance measure.

Performance measure 3.b	Percentage of usage is the voting population of the counties using VRAZ over all voter registration counts, multiplied by the following scale: 0 – Not using VRAZ 50 – updating in batch mode 90 – updating real-time 100 – using VRAZ for all voter registration processing
Timetable	January 1, 2003 to January 1, 2006
Description of the criteria used to measure performance	Participation is measured on the scale of migrating to replacement voter registration system VRAZ with minimal performance for degrees of interaction in place of using VRAZ.
Process used to develop the criteria	Success of VRAZ will be dependent ultimately upon the successful replacement of all voter registration systems in the state by a single, statewide, uniform user interface.
Description of official to be held responsible for ensuring each performance goal is met	The secretary of state is responsible for implementing the statewide voter registration system and coordinating the efforts of all 15 county recorders to meet this performance measure.



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**STATE OF ARIZONA**

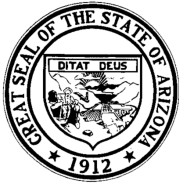
**Help America Vote Act of 2002 (HAVA)**  
**Preliminary State Plan**

Performance measure 3.c	Percentage of provisional ballots counted to voter registration.
Timetable	January 1, 2003 to January 1, 2006
Description of the criteria used to measure performance	Number of provisional ballots cast and counted over the total voting population as reported by the county election official and collected in the statewide provisional ballot status system.
Process used to develop the criteria	Provisional ballots are primarily used when the voter is not present on the precinct roster. Success of VRAZ will be evident as the number of people with incorrect addresses in the voter registration information decreases, which should correspond to the number of provisional ballots that are actually counted (meaning the ballot was cast and the county verified that the voter is qualified and therefore the ballot is also counted).
Description of official to be held responsible for ensuring each performance goal is met	The secretary of state is responsible for implementing the statewide voter registration system and the statewide provisional ballot status system while coordinating the efforts of all fifteen county recorders and county election officials to meet this performance measure.

**Performance Goal 4: Statewide Grievance System**

The secretary of state will implement a statewide grievance tracking system. Working with the county recorders, state election officials, state attorney general, the secretary of state will define functional requirements, roles and responsibilities of grievance procedures and build these procedures on the current voter information call center system. The system will allow for the centralized call center system to forward grievance calls to counties when appropriate. Measurement of successes of the statewide grievance system will be the availability and performance of the system, as well as, the experience for the voter.

Performance measure 4.a	With respect to the voter registration of each county, the following information will be collected to subjectively measure performance: <ul style="list-style-type: none"> <li>• Number of complaints received</li> <li>• Number of complaints resolved <ul style="list-style-type: none"> <li>○ Number of complaints resolved in 30 days or less</li> <li>○ Number complaints resolved in 60 days</li> <li>○ Number of complaints resolved in 90 days</li> </ul> </li> <li>• Number of complaints unresolved</li> <li>• Description of reason complaint is left unresolved</li> </ul>
Timetable	December 31, 2003 and biennially thereafter
Description of the criteria used to measure performance	The secretary of state will review the total number of complaints received and resolved. Success of the program may be determined by percentage of resolution of all complaints.
Process used to develop the criteria	A formal complaint process will be setup by the 2004 Federal election. Counties will report their success in transitioning to a statewide system to the secretary of state who will analyze them, add the state's success and report the state's overall status in transitioning to a statewide system. To measure performance, data will be provided covering the number of complaints received, the number of complaints resolved and the timeframe for resolution of complaints.
Description of official to be held responsible for ensuring each performance goal is met	The secretary of state is responsible for ensuring each performance goal is met, with the assistance and cooperation of each county recorder and county election official.



**JAN BREWER**  
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STATE OF ARIZONA

**Help America Vote Act of 2002 (HAVA)**  
**Preliminary State Plan**

Performance measure 4.b	Percentage of usage is the voting population of the counties using grievance system for all voter registration processing multiplied by the scale of usage: 0 – Not using grievance system 100 – using grievance system for all grievance processing in a timely manner over the voting population of the state.
Timetable	December 31, 2003 and biennially thereafter
Description of the criteria used to measure performance	The secretary of state will review the percentage of availability to the percentage of compliance usage of the grievance system for determining success in implementation.
Process used to develop the criteria	Availability is the success factor in whether the implementation of the grievance system has been successful.
Description of official to be held responsible for ensuring each performance goal is met	The secretary of state is responsible for ensuring each performance goal is met, with the assistance and cooperation of each county recorder and county election official.

**Performance Goal 5: Provisional Ballots**

There are many requirements for provisional balloting in HAVA that need measuring: provisional ballot uniform processing, verification, and status availability. While the secretary of state has already addressed ballots to be verified (to be re-named provisional ballots) in statute and in the state election procedures manual, the measurement of success is the compliance with those procedures. In addition, the secretary of state's centralized voter registration system will be designed to allow counties to verify provisional ballot status such that the voter may check the status of their provisional ballot. The goal is to have the uniform procedures in place, have each county in compliance and have the statewide system reporting back status of the provisional ballots.

Performance measure 5.a	With respect to the voter registration of each county, the following information will be collected to measure compliance performance: <ul style="list-style-type: none"><li>• The number of provisional ballots in each precinct</li><li>• The number of voters in each precinct</li><li>• The number of provisional ballots that were verified and counted in each precinct</li><li>• The number of provisional ballots not counted in each precinct and the reason for not counting</li><li>• Whether each voter was notified of the status of their ballot</li><li>• Whether the uniform procedures were followed for determining whether a provisional ballot is counted or not counted</li></ul>
Timetable	December 31, 2004 and biennially thereafter
Description of the criteria used to measure performance	The data in the report will provide specific information relating to how many provisional ballots are voted and provide a means for verifying the procedures for establishing whether the ballots are counted. HAVA requires uniform procedures for checking and verifying provisional ballots, the data in the report will provide specific information for the secretary of state to determine the success of implementation.
Process used to develop the criteria	The secretary of state will review the state election procedures manual and make any changes needed for provisional balloting.



**JAN BREWER**  
SECRETARY OF STATE  
STATE OF ARIZONA

**Help America Vote Act of 2002 (HAVA)**  
**Preliminary State Plan**

Description of official to be held responsible for ensuring each performance goal is met	County election officials are responsible for provisional ballot verification and compliance to procedures established by the state election procedures manual. Therefore the secretary of state is responsible for establishing the procedures, compliance requirements, reporting requirements and ultimately the success of this performance measure.
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**Performance Goal 6: Physical Accessibility**

One of the primary goals of HAVA is to improve the voting process. Improving physical accessibility is a performance goal that will change election cycle to election cycle, as most physical accessibility issues tend to be at the polling places which are acquired on private property. This goal is to monitor and uniformly address physical accessibility in the polling place.

The secretary of state will encourage private-public partnerships to enhance the voting participation of all voters with disabilities in coordination with the Help America Vote Foundation established by HAVA. Though activities are beyond the scope of this state plan, activities of such groups may be incorporated into performance reporting to compliment physical accessibility goals.

Performance measure 6.a	County will report the number of polling places that are 100 percent accessible pursuant to guidelines in the state election procedures manual and the voter registration for those polling places. For those polling places that are not in compliance, list the voter registration count, reason for non-compliance, and the steps taken to bring polling place into compliance.
Timetable	January 1, 2004 to December 31, 2004, biennially thereafter.
Description of the criteria used to measure performance	Counties will complete an inspection of all polling places and determine the accessibility for each polling place. Accessibility requirements for polling places will be included in the state election procedures manual.
Process used to develop the criteria	Counties currently inspect all polling places for physical accessibility. Beginning with the 2004 federal election, the inspection results will be added to the report that counties file with the secretary of state certifying their election results and process. Success will be measured by compliance with the state election procedure manual sections on physical accessibility. Report on accessibility from counties to include data from on-site inspections of polling places and number of polling places that are accessible, and the voter registration that polling place serves. Counties will provide a report on the number of precincts that are physically accessible and describe measures taken to bring inaccessible polling places into compliance.
Description of official to be held responsible for ensuring each performance goal is met	County election officials are responsible for inspecting and reporting on physical accessibility, however the secretary of state is responsible for establishing the accessibility requirements, reporting requirements and ultimately the success of this performance measure.

**Performance Goal 7: Alternative Language Accessibility**

The goal of providing useful and ample language accessibility has always been in compliance with the Voting Rights Act of 1965. Measuring the success of language accessibility is complicated. Those requiring alternative languages are represented in percentages based on census figures, which then are applied to voter participation for rating effective voter participation. Voter participation has variables that dictate turnout, such as: weather, uncontested races, and controversial ballot measures. The secretary of state views the entire election process, from voter registration to casting the ballot as a potential language accessibility issue to the voter, so success will be determined by the subjective inspection of many factors revolving around the voter.

The secretary of state will encourage private-public partnerships to enhance the voting participation of all voters with disabilities in coordination with the Help America Vote Foundation established by HAVA. Though activities are beyond the scope of this state plan, activities of such groups may be incorporated into performance reporting to compliment alternative language accessibility goals.



**JAN BREWER**  
SECRETARY OF STATE  
STATE OF ARIZONA

**Help America Vote Act of 2002 (HAVA)**  
**Preliminary State Plan**

Performance measure 7.a	With respect to the voter registration of each county, the following information will be collected to subjectively measure performance: <ul style="list-style-type: none"><li>• Voter turnout</li><li>• Alternative language accessibility for publicity pamphlets<ul style="list-style-type: none"><li>○ Number of languages required</li><li>○ Number of languages provided</li></ul></li><li>• Alternative language accessibility for ballots<ul style="list-style-type: none"><li>○ Number of languages required</li><li>○ Number of languages provided</li></ul></li><li>• Alternative language accessibility for voter registration forms<ul style="list-style-type: none"><li>○ Number of languages required</li><li>○ Number of languages provided</li></ul></li><li>• Alternative language accessibility for voter outreach materials<ul style="list-style-type: none"><li>○ Number of languages required</li><li>○ Number of languages provided</li></ul></li></ul>
Timetable	Federal election 2004 and biennially thereafter
Description of the criteria used to measure performance	Counties will provide the state a report of alternate language capabilities with reference to ballots, publicity pamphlets, voter registration forms and voter education materials. The report will include data on the alternative language accessibility provided for ballots, publicity pamphlets, voter registration forms and voter outreach. The data provided will allow the secretary of state to determine if the uniform procedures for providing alternative language accessibility has been successful
Process used to develop the criteria	The state and counties already provide language accessibility. By the 2004 Federal election, the state election procedures manual be reviewed by the secretary of state for any additional requirements to be included regarding language accessibility.
Description of official to be held responsible for ensuring each performance goal is met	The secretary of state is responsible for ensuring each performance goal is met, with the assistance and cooperation of each county recorder and county election official.

**Performance Goal 8: Voter Education**

The goal of providing useful and ample voter education has always been in the mission statement of the secretary of state, county recorders, and the county election officials. Measuring the success of voter education, however, is more complicated than just measuring voter participation. Variables that dictate voter participation range from weather, uncontested races, and controversial ballot measures, causing highly subjective results. The secretary of state views the entire election process, from voter registration to casting the ballot, as an education of the voter, so success will be determined by the subjective inspection of many factors revolving around the voter.





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**STATE OF ARIZONA**

**Help America Vote Act of 2002 (HAVA)**  
**Preliminary State Plan**

Performance measure 8.a	<p>With respect to the voter registration of each county, the following information will be collected to measure performance:</p> <ul style="list-style-type: none"> <li>• Voter turnout</li> <li>• The number of early ballots requested</li> <li>• The number of early ballots voted</li> <li>• The number of provisional ballots voted</li> <li>• Number of public service announcements</li> <li>• Number of seminars providing voter education</li> <li>• Number of locations where voting equipment is on public display</li> <li>• Compliance with the state election procedures manual for voter information and voter outreach</li> <li>• Length of time voting systems are on public display</li> <li>• Number of voter education and voter outreach initiatives, including: <ul style="list-style-type: none"> <li>○ Description</li> <li>○ Estimated costs</li> <li>○ Participation</li> </ul> </li> <li>• A comparison of voter turnout in a federal election with the voter turnout in the immediately preceding four-year cycle</li> </ul>
Timetable	January 1, 2004 and biennially thereafter
Description of the criteria used to measure performance	The information will summarize the voter outreach and voter education methods employed by each county and state.
Process used to develop the criteria	The state and counties already provide voter education. By the 2004 Federal election, additional steps will be taken to ensure voter knowledge of changes in voter registration and voting caused by this act. These steps will be incorporated into the state election procedures manual. The counties will include details of their efforts in the report they file with the secretary of state certifying their election results and process. Success will be county compliance with the state election procedures manual sections on voter education.
Description of official to be held responsible for ensuring each performance goal is met	The secretary of state and the county recorders and election officials are all responsible for ensuring the success of voter education; however, the secretary of state is responsible for the success of all statewide coordinated efforts for voter education.

Performance measure 8.b	<p>With respect to the responsibilities for voter education set forth in the state election procedures manual, the following information will be collected from the grievance system to measure performance:</p> <ul style="list-style-type: none"> <li>• Number of complaints</li> <li>• Number of complaints dismissed</li> <li>• Nature of complaints dismissed</li> <li>• Number of complaints resulting in action</li> <li>• Nature of complaints resulting in action</li> <li>• Number of complaints unresolved</li> <li>• Nature of complaints unresolved</li> </ul>
Timetable	January 1, 2004 and biennially thereafter





**JAN BREWER**  
**SECRETARY OF STATE**  
**STATE OF ARIZONA**

**Help America Vote Act of 2002 (HAVA)**  
**Preliminary State Plan**

Description of the criteria used to measure performance	The information will provide a measurement of performance regarding voter outreach and voter education with respect to county and state.
Process used to develop the criteria	The state and counties already provide voter education. By the 2004 Federal election, the grievance system will be in place and provide feedback to the voter outreach and voter education efforts of the counties and state. These results will be reviewed for additional requirements to be incorporated into the state election procedures manual.
Description of official to be held responsible for ensuring each performance goal is met	The secretary of state and the county recorders and election officials are all responsible for ensuring the success of voter education; however, the secretary of state is responsible for the success of the state elections procedures manual for providing adequate guidance for uniform voter outreach and voter education.

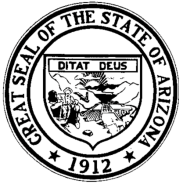
**Performance Goal 9: Poll worker training.**

Ample poll worker training results in positive experiences and smooth elections for voters and the state of Arizona. The performance goal to measure poll working training in respect to HAVA, as well as realization of existing training efforts, will be dependent upon the compliance of poll worker training within the counties.

Performance measure 9.a	With respect to the voter registration of each county, the following information will be collected to measure poll worker training performance: <ul style="list-style-type: none"> <li>• The number of board workers trained in each county</li> <li>• For each polling place, the description of the types of board workers trained <ul style="list-style-type: none"> <li>○ Number of Inspectors, Marshals, Judges and Clerks trained in each precinct</li> <li>○ Number of "premium" board workers pursuant to A. R. S. § 16-532 (D) and (E) trained in each precinct</li> </ul> </li> <li>• The number of provisional ballots voted</li> </ul>
Timetable	January 1, 2003 to Federal election 2004, biennially thereafter.
Description of the criteria used to measure performance	Analyzing the number of board workers trained in each county and comparing the data to the number of provisional ballots will allow the secretary of state to determine whether the uniform board worker training implemented is successful. If it is determined that the uniform board worker training is not successful, new training methods will be incorporated in the state election procedures manual before the next election cycle.
Process used to develop the criteria	The state and counties already provide poll worker training. By the 2004 Federal election, additional steps will be taken to ensure poll worker knowledge of changes in voter registration and voting under HAVA. Uniform poll worker training criteria will be incorporated into the state election procedures manual. The counties will include details of their efforts in the report they file with the secretary of state certifying their election results and process. Success is dependent upon the training with respect to the voter registration serviced at the polls.
Description of official to be held responsible for ensuring each performance goal is met	County election officials are responsible for poll worker training and reporting, however the secretary of state is responsible for establishing the guidelines, requirements for polling places, reporting requirements and ultimately the success of this performance measure.

**Performance Goal 10: Election Official Training**

Ample election official training results in positive experiences and smooth elections for voters and the state of Arizona. The performance goal to measure election official training in respect to HAVA, as well as realization of existing certification efforts, will be dependent upon the ratio of compliance of trained election officials to voter registration within the counties.



**JAN BREWER**  
SECRETARY OF STATE  
STATE OF ARIZONA

**Help America Vote Act of 2002 (HAVA)**  
**Preliminary State Plan**

Performance measure 10.a	<p>With respect to the voter registration of each county, the following information will be collected to measure election official training performance:</p> <ul style="list-style-type: none"><li>• The number of people trained in each recorders / voter registration office<ul style="list-style-type: none"><li>○ The total number of employees in the recorders / voter registration office</li></ul></li><li>• The number of people trained in each county election office<ul style="list-style-type: none"><li>○ The total number of employees in the election office</li></ul></li><li>• The total number of people in each county that are certified for the first time</li><li>• The total number of people in each county that have completed re-certification requirements</li></ul>
Timetable	December 31, 2003 and biennially thereafter
Description of the criteria used to measure performance	Pursuant to Arizona Revised Statutes, the secretary of state completes a report on or before December 31 of each year of a general election detailing the achievements and problems of the previous two-year period and specifies the expected education and training for the following two-year period. The report that is completed and filed with the president of the senate and the speaker of the house of representatives will include details measuring the success of the program as it relates to instruction covered under HAVA.
Process used to develop the criteria	The state and counties already provide election official training. By the 2004 Federal election, additional steps will be taken to ensure election official knowledge of changes in voter registration and voting as it relates to HAVA. Essentially, presence of certified election officials as a ratio to voter registration gives us a baseline for compliance.
Description of official to be held responsible for ensuring each performance goal is met	The secretary of state is responsible for election official training and reporting, as well as the responsibility of establishing the guidelines, requirements for certification, reporting requirements and ultimately the success of this performance measure.



## **Section 9**

**Sec. 254 (a) IN GENERAL - The State plan shall contain a description of each of the following:**

**(9) A description of the uniform, nondiscriminatory State-based administrative complaint procedures in effect under section 402.**

### ***Recommended Language***

The complaint system will be an extension of the secretary of state's office general election information line and implementation will be subject to funding.

The secretary of state will develop a unified statewide complaint system for the tracking, management and conduction of hearings to address complaints revolving around election issues. The unified statewide system will provide secure online access and phone call center access for complaint processing to the secretary of state and their designee, county recorders and county election officials. The system will also provide secure online review of the complaint by the submitter. The nature of the complaints contained within the system will be treated as suspected violations of the Help America Vote Act of 2002 (HAVA), Title III and therefore pertain to the processes of voter registration, voting and election reporting. Since multiple jurisdictions from the county, state and possibly localities will be working in coordination to resolve the complaints, the Administrative Procedure Act does not apply to this system.

When an issue arises on the general information line that is deemed a voting rights violation by the secretary of state or their designee addressed in Title III of HAVA and is requested further attention by the caller, the caller will be given a tracking number and directed to complete a complaints form, notarize the form, and send it back via facsimile and postal services. Upon receiving the formal complaint, the secretary of state's office shall assign the complaint tracking number and begin the resolution process which will include, but is not limited to:

- initial contact with the complainant indicating the complaint has been received and current status;
- if the complaint is transmitted via facsimile, it will be logged until the original notarized paper complaint is received. In the case the paper is not received, the secretary of state may postpone action until such time the original notarized paper arrives;
- the secretary of state, or their designee, will decide the resolution of the complaint. They may use mail, email, facsimile or other messaging service to correspond such information with the complainant;



- in the event the complaint is of similar nature with other pending complaints, the secretary of state may consolidate complaints into a new tracking number and notify the complainants of the changed status;
- in the event that a hearing is requested, the secretary of state or their designees, may use conferencing, tele-conferencing and/or other electronic forums to address the issue with the parties involved. The complainant must agree to one of these options;
- upon final disposition of the complaint, the secretary of state will report the complaint, findings and disposition in writing to the complainant;
- If a remedy is required to address the final disposition of the complaint, the secretary of state, or their designee, shall notify the complainant at such time the remedy is applied.

All complaints shall be addressed by the secretary of state or their designee, within 90 days of receiving the complaint unless the secretary of state determines a longer period is required for resolution and the complainant agrees to the extension.

If the complaint is not resolved within the 90 days after reception of the complaint, or extension of the expiration as agreed upon with the complainant, the complainant may seek alternative dispute resolution.

Upon request of alternative dispute resolution, the secretary of state will refer the complaint to the attorney general's office, and/or the Department of Justice, depending on the nature of the violation or complaint for resolution.

The unified complaint system shall contain for each formal complaint, at minimum:

- name and address of the complainant;
- date and nature of complaint;
- relevant records and minutes; and
- disposition of the complaint

A record of the complaint will exist for a minimum of one federal election following the current federal election cycle.



## **Section 10**

**Sec. 254 (a) IN GENERAL - The State plan shall contain a description of each of the following:**

**(10) If the State received any payment under title I, a description of how such payment will affect the activities proposed to be carried out under the plan, including the amount of funds available for such activities.**

### ***Recommended Language***

Pursuant to the Act and in anticipation of receiving full funding for Title I, money will be distributed to provide for punch card replacement for each county that was using a punch card voting system in the 2000 general election. Section 6 details how the federal funds will be spent to meet the requirements of Section 301 of the Help America Vote Act of 2002 (HAVA).

Arizona has initiated the “Arizona – Adios Chad” Program to facilitate punch card buyout. There are nine counties in the state that will require new voting systems. The secretary of state will lead a statewide procurement effort to acquire these systems. The scope of Adios Chad will be the replacement of voting systems, in which the secretary of state will work with county election officials to ensure that all needs are met, including but not limited to:

- device acquisition;
- system maintenance;
- election preparation services; and
- election tabulation services.

The secretary of state will act as contract administrator to maximize the purchasing power. The counties will own, operate, and work with the vendor to maintain the new voting systems and retain control of election services at the county level.

The secretary of state will implement a statewide voter registration system to comply with the HAVA Title III. Working with the county recorders and state election officials, the state will define functional requirements, and roles and responsibilities of carrying out the functions of voter registration. The system will serve as the single, uniform, official, centralized, interactive computerized statewide voter registration list defined, maintained, and administered at the state level. This is a priority of the state’s activities that is second only to the removal of all punch card systems. Should any Title I funds remain after the replacement of punch card systems, those funds will be allocated as described in the section 6.

The committee recommends that any remaining funds will be used for the other programs described in Title I section 101 (b) (1) in accordance with the priorities established by this committee. Section 6 of the State Plan details how the funds will be allocated.



## **Section 11**

**Sec. 254 (a) IN GENERAL - The State plan shall contain a description of each of the following:**

**(11) How the State will conduct ongoing management of the plan except that the State may not make any material change in the administration of the plan unless the change**

**(A) is developed and published in the Federal Register in accordance with section 255 in the same manner as the State plan;**

**(B) is subject to public notice and comment in accordance with section 256 in the same manner as the State plan; and**

**(C) takes effect only after the expiration of the 30-day period which begins on the date the change is published in the Federal Register in accordance with subparagraph (A).**

### ***Recommended Language***

- Pursuant to Arizona Revised Statutes § 16-452 the secretary of state "...prescribes rules to achieve and maintain the maximum degree of correctness, impartiality, uniformity and efficiency on the procedures for early voting and voting, and of producing, distributing, collecting, counting tabulating and storing ballots." Many of the provisions of the Help America Vote Act of 2002 (HAVA) are addressed by the statutes and secretary of state procedures.
- The secretary of state shall conduct annual meetings with county recorders and elections officials to review standards and assess the goals and objectives of the HAVA State Plan.
- If the secretary of state determines the State Plan requires material change, the secretary of state shall:
  1. propose the recommended changes within 60 days of the annual meeting;
  2. allow for public comment not less than 30 days; and
  3. submit to the Department of Justice for pre-clearance;
  4. publish in the federal register upon submitting the revised plan to the Election Assistance Commission.



**JAN BREWER**  
SECRETARY OF STATE  
STATE OF ARIZONA

## **Help America Vote Act of 2002 (HAVA) Preliminary State Plan**

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### **Section 12**

**Sec. 254 (a) IN GENERAL - The State plan shall contain a description of each of the following:**

**(12) In the case of a State with a State plan in effect under this subtitle during the previous fiscal year, a description of how the plan reflects changes from the State plan for the previous fiscal year and of how the State succeeded in carrying out the State plan for such previous fiscal year.**

This State Plan is the Preliminary State Plan required under the Help America Vote Act of 2002 (HAVA). This section will be updated in the next fiscal year, reflecting changes to the State Plan, as well as a summary of the 2003 successes.





## **Section 13**

**Sec. 254 (a) IN GENERAL - The State plan shall contain a description of each of the following:**

**(13) A description of the committee which participated in the development of the State plan in accordance with section 255 and the procedures followed by the committee under such section and section 256.**

### ***Recommended Language***

Pursuant to Section 255, on January 31, 2003, the chief state election official, Janice K. Brewer, Arizona Secretary of State, appointed a citizen advisory committee to help in the development of the State Plan (see press release page 4). The citizen advisory committee was named the Arizona State Planning Committee. Secretary of State Jan Brewer invited Governor Janet Napolitano to select two members for the committee, the President of the Arizona State Senate, Honorable Ken Bennett and Speaker of the House, Jake Flake, each also nominated one member. Pursuant to Section 255 of the Help America Vote Act of 2002 (HAVA), the committee included the chief state election official, the election officials from the two most populous jurisdictions, other local election officials, stake holders and citizens. Secretary Brewer made committee appointments which included a cross-section of people from throughout Arizona, including representation of groups of individuals with disabilities and minority representation.

On February 5, 2003, the secretary of state established the website at [www.hava.sos.state.az.us](http://www.hava.sos.state.az.us) as an open forum for public review and comment of the State Planning Committee meeting agendas, minutes of meetings, and all back-up material for the State Plan. This information was available for public inspection at all times during the duration of time the public meetings were held.

The State Planning Committee held open, public meetings in compliance with the *Open Meeting Laws of the State of Arizona* on February 7, 14, 21, and 28, March 7 and 14, 2003. Following the March 14, 2003 State Planning Committee Meeting, the “preliminary” State Plan will be posted on the secretary of state’s website and made available for public review and comment for a period of 30 days. The secretary of state will announce through a statewide press release after March 14, 2003 the locations where the preliminary State Plan is available for public review and comment. Various media outlets will be requested to publish the preliminary State Plan and/or announce its availability as a public service announcement.



**JAN BREWER**  
SECRETARY OF STATE  
STATE OF ARIZONA

**Help America Vote Act of 2002 (HAVA)**  
**Preliminary State Plan**

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Arizona State Planning Committee Membership list:

<b>MEMBER NAME</b>	<b>OFFICE / REPRESENTING</b>
Pam Allan	AZ Bridge to Independent Living
Hon. Kerry Ballard	Mayor of Snowflake
Hon. Janice K. Brewer	Arizona Secretary of State
Chuck Coughlin	AZ Highground
Nicole Davis	Deputy Counsel to the Governor
Barry Dill	Governor's nomination
Hon. Steve M. Gallardo	House of Representatives, District 13
Calvin C. Goode	Former Phoenix City Councilman
Barry Hess	Libertarian Party
Gilberto Hoyos	Pinal County Election Director
Hon. Marilyn Jarrett	State Senator, District 19
Hon. Wendy John	Graham County Recorder
Kenton D. Jones	Prescott – Private Citizen
Mary Jo Kief	State Election Director
Hon. Joan McCall	Mohave County Recorder
Brad R. Nelson	Pima County Election Director
Hon. Candace Owens	Coconino County Recorder
Hon. Clinton Pattea	President, Fort McDowell, Yavapai Nation
Hon. Helen Purcell	Maricopa County Recorder
Tom Schelling	Cochise County Election Officer
Ruth M. Swenson	Arizona President, National Federation of the Blind
Mike Totherow	Chief Information Officer, Secretary of State
Phil Townsend	Yuma – Private Citizen
Kevin P. Tyne	Assistant Secretary of State
Hon. Patricia Wall	LaPaz County Recorder



**Jan Brewer**  
**Arizona Secretary of State**

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